

CHAPTER NO. 1020

HOUSE BILL NO. 2776

By Representatives Buck, Patton

Substituted for: Senate Bill No. 3038

By Senator Person

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, relative to the earmarked twenty percent (20%) of the funds a sheriff or municipal police department receives pursuant to fines and forfeitures.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-420, is amended by deleting subsection (h)(1) in its entirety and by substituting instead the following:

(h) (1) Except as provided in subdivision (h)(2), notwithstanding any other provision of this section to the contrary, in order to comply with state and federal fingerprinting requirements such as those in 42 U.S.C.A. § 14071, effective July 1, 1997, twenty percent (20%) of the funds a sheriff or municipal police department receives pursuant to this section shall be set aside and earmarked for the purchase, installation, and maintenance of and line charges for an electronic fingerprint imaging system that is compatible with the Federal Bureau of Investigation's Integrated Automated Fingerprint Identification System. Prior to the purchase of such equipment, the sheriff or municipal police department shall obtain certification from the Tennessee Bureau of Investigation that such equipment is compatible with the Tennessee Bureau of Investigation and Federal Bureau of Investigation's Integrated Automated Fingerprint Identification System. Once the electronic fingerprint imaging system has been purchased, a sheriff or municipal police department may continue to set aside up to twenty percent (20%) of the funds received pursuant to this section to pay for the maintenance of and line charges for the electronic fingerprint imaging system. Instead of purchasing such fingerprinting equipment, a local law enforcement agency may enter into an agreement with another law enforcement agency that possesses such equipment for the use of such equipment. Such agreement may provide that the local law enforcement agency may use the fingerprinting equipment for identifying persons arrested by that agency in exchange for paying an agreed upon portion of the cost and maintenance of the fingerprinting equipment. If no such agreement exists, it shall be the responsibility of the arresting officer to obtain fingerprints and answer for the failure to do so.


SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 29, 1998


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 18th day of May 1998


DON SUNDQUIST, GOVERNOR